

FILMING GUIDELINES
FILMING/PHOTOGRAPHY AT
DEATH VALLEY NATIONAL PARK

"The service...shall promote and regulate the use of ... national parks ... [its] purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." (16 U.S.C. 1)

It is the policy of the National Park Service (NPS) to allow filming and photography when and where possible, while adhering to this mandate. Therefore, when reviewing filming applications, the primary concerns of the NPS are potential impacts to park resources and disruption of visitor use.

Death Valley National Park is recognized worldwide as an area set aside and administered with preservation at the core. In order to preserve and protect resources and to assure the enjoyment of those resources by the public, the following guidelines are established by the superintendent of Death Valley National Park as they relate to filming and photographic activities within the park boundaries.

Generally, permits are not required for:

- visitors using cameras and/or recording devices for their own personal use.
- sound technicians, and film or video news crews at breaking news events. In these cases, the superintendent will still be required to protect park resources and the rights and safety of park visitors. News media wishing access for entertainment or scheduled purposes may require a permit.
- NPS filming or photography, Department of the Interior Audiovisual Center filming or filming/photography done pursuant to a cooperative agreement or contract.

A request for a filming or photography permit may be denied if:

- in the opinion of the superintendent or his/her designee, the filming activity requested represents a potential for harm or impact on the park's natural, cultural, wilderness or recreational resources, may create health or safety risks, or disrupt visitor use and enjoyment;
- it is determined that supervisory requirements for the proposed project will place unreasonable burdens on park staff, regardless of the applicant's willingness to pay supervisory costs;
- the permittee fails to obtain insurance/bonding, or does not agree to pay assessed cost recovery;

- the proposed filming or photography would conflict with the visitors' normal use of the park;
- the request includes entry into areas closed to the general visiting public, or which would allow activities not permitted to the average visitor.

Filming/Photography Permits - are issued for photography, filming, and associated sound recording to ensure protection of resources, to prevent significant disruption of normal visitor uses, or when they involve props, models, professional crews and casts or set dressings. Permits are required for access to areas normally closed to the visiting public.

To apply for a permit, please complete a Death Valley National Park filming application form and submit it to the Filming Permits Coordinator (contact information on last page of these guidelines) allowing sufficient time for evaluation by the park staff before the start date of the proposed activity to be conducted in the park. Please remember to enclose a check or money order for \$210.00 to cover non-refundable application costs. Requests will be evaluated on the basis of the information in the application. Therefore you are encouraged to attach maps, diagrams, script pages or storyboards to assist the park staff in evaluating your request. (Since the National Park Service cannot censor content, submission of script and storyboards is voluntary.) **If there is no contact from an applicant for 30 days, the file will be closed. Any future contact with that applicant will require initiating the process from the beginning.**

Due to the volume of filming requests received by Death Valley National Park, applications are handled in the order they are received. Priority will not be given to URGENT requests nor will the park reply by express mail. **Simple requests can be processed in two weeks. Requests that involve multiple locations, complex logistics, coordination with other NPS divisions or visitor activities will require a minimum of four weeks to process. A minimum of four weeks is also required to process permits for projects that need additional environmental compliance.**

All costs of evaluating the request will be billed to the applicant, whether a permit is issued or not. In compliance with the requirements of the Debt Collection Improvement Act of 1996, the applicant must submit their social security number or Federal tax ID number when filling out the application for permit. Applications will not be processed if submitted incomplete or are received without payment.

Conference/Site Scouting – It is highly recommended that any potential permittee schedule a pre-shoot scouting trip to the park. Scouting assistance may be requested of the Filming Coordinator, subject to availability. All filming locations must be identified at least two weeks before arrival since locations are listed specifically on the permit and are subject to availability. For smaller projects, locations may be determined during a pre-permit conference conducted via telephone. The completed permit will detail the activities and locations to be authorized. Any activities not specified in the permit will not be allowed. Filming may not begin within the park until all conditions of the permit have been agreed to by the permittee and approved by the Park Superintendent. Additional charges apply to scouting assistance (see below). Potential permittee's should be aware that over 95% of Death Valley National Park is Federally designated

Wilderness, which is even more restrictive than National Park designation. For example, there is no commercial filming within designated Wilderness areas. In most of Death Valley National Park, Wilderness begins two hundred feet from the centerline of the roadway, to each side of the road. All filming must occur within that corridor.

Costs and Fees –All costs incurred by the NPS in conjunction with the permitted filming activity will be reimbursed by the permittee. A cost estimate will be calculated and provided once the Filming Coordinator has received all applicable information.

The filming program fee schedule is as follows:

\$210 non-refundable Application and Administrative Fee (mentioned above)- A \$210 non-refundable application fee must accompany each filming application. This fee is based on an average of two hours to provide initial review of an application. Since some projects require more than two hours to consider and others take less, this application fee is an average cost for the initial time involved in reviewing a project. The fee includes time spent answering initial inquiries, initial review of an application, and basic technical consultation. This fee also includes, but is not limited to, processing fees, permit development, consultations with the permittee, managerial and/or technical consultations and billing.

Hourly Management Fee-a \$50 per hour rate applies primarily under the following conditions:

(1) **Monitoring**-Filming activities authorized by permit may require continuous, on-site supervision by the NPS to assure full compliance with all conditions of the permit. Monitoring will be charged at the rate of \$50 per hour per staff member with a minimum of two hours per staff member, per day. For smaller filming projects with little possibility of resource/visitor impacts, spot checks may be used instead of continuous monitoring. The permittee will be charged at the rate of \$50 per spot check. The level and type of supervision will be determined by the scope and complexity of the filming activity.

(2) **Interviews**-all interviews of park personnel will be assessed at the hourly rate. This will not apply to pre-approved filming or photographing of NPS staff members performing their regularly scheduled work activities.

(3) **Scouting**-if a permittee requests a scouting trip with or by the Filming Coordinator, staff time will be assessed at a rate of \$50 per hour.

(4) **Extended Administrative Time**-any filming activity that is particularly complex is subject to the \$50 hourly fee. This fee covers additional administrative time needed beyond the maximum four hours covered by the \$210 Application and administrative fee. This rate does not preclude any of the other fees and is applied per hour, per staff member.

Daily Fees: Charged for each day of scouting, set-up and filming.

Number of total people on location:	<u>1-10</u>	<u>11-30</u>	<u>over 30</u>
Still Photography	\$125	\$175	\$275
Videography	\$275	\$525	\$625

The applicant or permittee is required to notify the NPS of any delays or schedule changes at least 36 hours in advance, or as agreed to by the superintendent or his/her representative. Should the applicant or permittee fail to provide such advance notification, the applicant or permittee is responsible for paying all costs incurred by the NPS any time during the application, permitting, or operational process, including those due to cancellation, moving, or rescheduling of the project. Such payment will include but is not limited to a non-refundable charge for each staff person scheduled for the affected activity.

Such charge will, at a minimum, be the equivalent of two hours overtime for each employee assigned. These costs may be recovered through the posting of a bond at the time of application, or through a bill of collection presented at any point after initial contact. Note that the approval such schedule changes are dependent upon staff availability. **There is no guarantee that any schedule changes will be approved, and there will be no refunds in such situations.**

Insurance - General liability insurance must be carried by the permittee naming the United States Government, National Park Service, Death Valley National Park as an additional insured. Short-term policies must show coverage on an "occurrence" basis. Required commercial liability for video or film productions companies is generally one million dollars (\$1,000,000), but will vary according to project scope, risk to park resources and other relevant circumstances. Additional amounts may be required for high-risk activities. All insurance certificates must be issued by an insurance company operating in the United States. The Filming Coordinator must receive the original insurance certificate no later than one week before the scheduled activity.

Performance Bonds - All permitted filming activities will require the permittee to post a performance bond. The purpose of the bond is to insure that the resource is left in as good condition as it was prior to the filming, and to cover restoration costs (if needed). The amount of the bond will be determined according to the scope and potential for damage by the activity. At the conclusion of the permit, the bond will be returned to the permittee after final billing costs and costs of necessary clean up, repair or rehabilitation are deducted. The performance bond can be in the form of a money order or cashiers check.

Sharing the Park - A filming or photography permit does not give exclusive rights to the permittee or allow the permittee to restrict visitors from any location. Locations that attract a large number of visitors will be avoided. Normal visitor use patterns will not be interrupted for longer than five minutes, and only as specified in the approved permit. Filming or photography permit activities may not occur simultaneously with other permitted activities unless authorized by the NPS, or unduly conflict with scheduled park activities such as interpretive presentations. Visitors will be allowed to observe filming activity.

Restrictions and Conditions - will be enumerated in the permit. Film projects are often impacted by the fact that commercial filming is not permitted in designated Wilderness areas, and approximately 95% of Death Valley National Park was designated Wilderness in 1994. **Generally, filming is allowed only along the road corridors and within a 50-300 foot area from the road's centerline, depending on which road.** The following activities are restricted and must be approved on a case by case basis: (1) use of children or animals, (2) discharge of blank ammunition and all black powder weapons, (3) mechanical or pyrotechnic special effects,

(4) stunts, (5) amplified music or sound, (6) placing of large set dressings, (7) filming photography inside interiors of government administrative work areas, (8) film equipment or activities on roadways, (9) access to closed areas or access to areas during non-visitor use hours. The permit will specify the number of people and the exact types of equipment allowed. The NPS monitor on duty will not allow activities not specified in the permit.

Please note that the permit does not include authority to film or photograph park visitors unless agreed to by the visitor and a signed written release is obtained by the permittee.

Closures - Permit activities may be restricted based on weather or seasonal conditions (fire danger, standing water after rain, wildlife nesting season, etc.). Additional closures, use limits and/or restricted activities are listed in the superintendent's Compendium, which is upon request.

Prohibited Activities - Activities having the potential to damage or significantly impact or alter park resources are prohibited. The following is a partial list of prohibited activities: (1) altering, damaging or removing vegetation, (2) vehicle use off established roads and parking areas, (3) use of insecticides, herbicides and pesticides, (4) loud noises that exceed 60 decibels or have the potential to negatively impact park resources or visitors experience, (5) smoking in buildings or in vegetated areas, (6) use of fragile vegetation areas, except on trails or already disturbed areas (as determined by NPS), (7) writing on or discoloring any natural feature or structure.

Photographic licenses such as, but not limited to, the superimposing of pictures which depict activities in conflict with the mission and goals of park management are prohibited. Staged activities by on-screen talent that would be considered dangerous if performed by the general public is also prohibited. Activities that are illegal in the park, such as hunting and off-road travel, are not to be depicted.

Termination of Permit - All filming or photography permits issued by the National Park Service are "revocable" on 24 hours notice, or WITHOUT NOTICE if the terms of the permit are violated. Deliberate infractions of the terms of the filming permit or the deliberate making of false or misleading statements concerning intended actions in order to obtain a permit are causes for immediate termination of the permit and cause for possible prosecution. Permits will be revoked if damage to resources or facilities is threatened, or if there is a clear danger to public health or safety.

Completed applications for filming within Death Valley National Park should be faxed to (760)786-3246 or mailed with check or money order made out to National Park Service for \$210 to:

**Filming Coordinator
Death Valley National Park
P. O. Box 579
Death Valley, CA 92328**

If using UPS or FedEx, use NPS Visitor Center, Highway 190 instead of the P.O. Box.

For questions or additional information, please contact Dave Rhinehart, Death Valley National Park, Business Manager at (760) 786-3241.